

## **REMARKS/ARGUMENTS**

The Applicant originally submitted Claims 1-21 in the application. In previous responses, the Applicant amended Claims 1, 8 and 15. In the present response, the Applicant amends Claims 1, 6-8, 15 and 20-21. No claims have been canceled or added. Accordingly, Claims 1-21 are currently pending in the application.

### **I. Rejection of Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §103**

The Examiner has rejected Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,454,024 to Lebowitz in view of U.S. Patent No. 5,596,625 to LeBlanc. The Applicants respectfully disagree since the cited combination of Lebowitz and LeBlanc does not teach or suggest an alarm system that includes establishing a wireless link that has a bandwidth insufficient to provide commercially-acceptable quality of service standards for voice communication in response to a received stimulus. Additionally, the cited combination does not teach receiving and sending commands and data from and to a wireless central monitoring station via the wireless link as recited Claims 1, 8 and 15.

The Examiner asserts that Lebowitz teaches each element of independent Claims 1, 8 and 15 except a wireless link that has a bandwidth insufficient to provide commercially-acceptable quality of service standards for voice communication. To cure this deficiency, the Examiner cites LeBlanc. (*See* Examiner's Action, pages 2-3.) Lebowitz, however, also does not teach or suggest establishing a wireless link to a wireless central monitoring station in response to a received stimulus as recited in Claims 1, 8 and 15. Instead, Lebowitz teaches constantly maintaining a cellular communication link between a subscriber station and a monitoring station. (*See* column

3, line 62 to column 4, line 4 and column 6, lines 19-24. Emphasis added.) Thus, Lebowitz does not teach or suggest each element for which it has been cited.

LeBlanc does not cure the above deficiencies of Lebowitz. LeBlanc does not disclose an alarm system as recited in the independent claims of the present invention but instead is directed to a method for routing emergency calls and handling emergency call access requests from originating mobile units when channels to a base station are busy. (*See* column 1, lines 9-12.) LeBlanc teaches that a non-voice path Emergency Access Call (EAC) may be generated for receipt by a Public Safety Answering Point (PSAP) when an Automatic Link Transfer (ALT)/handoff/handover of a mobile unit can not be performed. (*See* column 2, lines 43-47.) Even assuming the non-voice path EAC is a wireless link of diminished bandwidth as asserted by the Examiner, the non-voice path EAC is not established in response to a received stimulus. On the contrary, the non-voice path EAC is only established when an ALT/handoff/handover will not open an interface channel. (*See* column 19, lines 56-59.) Additionally, LeBlanc provides no teaching or suggestion that commands and data are received and sent via a wireless link of diminished bandwidth as recited in Claims 1, 8 and 15. On the contrary, LeBlanc simply teaches that the non-voice path EAC is generated for receipt by the PSAP when the ALT/handoff/handover fails. LeBlanc provides no teaching of sending commands or data from the PSAP to a mobile unit.

Thus, Lebowitz and LeBlanc, individually or in combination, fail to teach or suggest establishing a wireless link of diminished bandwidth in response to a received stimulus, or receiving and sending commands and data via the wireless link as recited in independent Claims 1, 8 and 15. The cited combination of Lebowitz and LeBlanc, therefore, does not provide a *prima facie* case of

obviousness for Claims 1, 8 and 15 and Claims dependent thereon. Accordingly, Claims 1, 3-8, 10-15 and 17-21 are not unpatentable in view of Lebowitz and LeBlanc and the Applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. §103(a) and issue allowance therefor.

Furthermore, one skilled in the art would not be motivated to combine the teachings of Lebowitz with the teachings of LeBlanc. Lebowitz teaches a system for transmitting data between subscriber sites and a monitoring station that includes a back-up circuit to insure a circuit is available for communication. (*See Abstract.*) LeBlanc, on the other hand, teaches generating a non-voice path EAP when a channel between a subscriber unit and a base station can not be made available. (*See column 19, lines 56-59.*) Thus, one skilled in the art would not be motivated to combine LeBlanc's generating a non-voice path EAP when a channel is not available with the teachings of Lebowitz since Lebowitz insures a communication circuit is available.

## **II. Rejection of Claims 2, 9 and 16 under 35 U.S.C. §103**

The Examiner has rejected Claims 2, 9 and 16 under 35 U.S.C. §103(a) as being unpatentable over Lebowitz and LeBlanc in further view of U.S. Patent No. 5,422,626 to Fish. The Applicant respectfully disagrees.

As discussed above, the cited combination of Lebowitz and LeBlanc does not teach or suggest each and every element of independent Claims 1, 8 and 15. Fish has not been cited to cure the deficiencies of Lebowitz and LeBlanc but to teach a local transceiver and wireless monitoring station exchanging data in bursts. (Examiner's Action, page 4). Thus, the cited combination of Lebowitz, LeBlanc and Fish does not teach or suggest each and every element of

independent Claims 1, 8 and 15 and, therefore, does not provide a *prima facie* of obviousness of Claims 1, 8 and 15 and Claims dependent thereon. Accordingly, Claims 2, 9 and 16 are not unpatentable based on Lebowitz, LeBlanc and Fish as cited and the Applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. §103(a) and issue allowance thereof.

Furthermore, the combination of Fish with LeBlanc is improper. LeBlanc teaches sending filler bits during quiet portions of interface signals (between time slots). (*See* column 1, lines 35-46.) Fish, on the other hand, teaches sending data during allocated time slots. (*See* column 5, lines 47-52 and Figure 4.)

### **III. Comment on Cited Reference**

The Applicants reserve further review of the reference cited but not relied upon if relied upon in the future.

### **IV. Conclusion**

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-21.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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